

Testimony for Michigan anti-SLAPP bill, by Justin Kurtz

After getting home from work at about 11:00pm on January 29th, 2010, I locked and alarmed my car and went into my apartment. The next morning I woke up and got my computer to get on Facebook. My roommate started chatting with me on Facebook and asked me where everyone was, so I told him that my two other roommates were at the airport and I was in my room. He then asked me where my car was and I looked out my window only to find that my car was missing. I went to the apartment office and they told me to call T&J Towing because they might have accidentally towed it. I called and asked if they had my car and they confirmed they had it and said that it was towed from my apartment.

I told them to check the window because I had a pass in it, he told me there was no pass and after going back and forth about it I was finally cursed at and hung up on. I went to the impound lot and asked to see my vehicle so I could show him the pass, he refused and made me pay \$118 in cash and sign a form that says the company is not responsible for any damage to my vehicle. After this I was allowed in the lot where I did a quick walk around on my vehicle. All of my doors were locked and there were no broken windows, the brush cover on the underside of my car however, was hanging from being improperly towed. I unlocked my car and it beeped three times, this had never happened to me so I knew something was wrong. I got in my car and the only sign of my parking pass was a small piece that is still in my window today, the rearview mirror had been moved but all of my valuables remained undisturbed (iPod Touch, passport, car audio etc). After leaving the impound lot I called a friend who is a Saturn mechanic and ask him why my car beeped three times, he said my security system had been reset and I looked at the battery only to find hand marks on the terminals. I filed a police report that night after getting out of work because I was almost three hours late by the time I had everything straightened out.

On February 3rd around 6:00pm I started a Facebook group called "Kalamazoo Residents Against T&J Towing", the group got a lot of attention from people who have had bad experiences with them before. On February 5th at 11:41am I received a Facebook message from a reporter from WoodTV8 asking if I would do an interview about my Facebook group, there were almost 800 members at this point. On February 10th the story makes the news and my Facebook group membership spikes. On February 12th WMMT News Channel 3 runs a story about my Facebook group where they interview T&J Towing's owner, Joe Bird. Joe Bird says on this interview that he is going to sue me for defamation, libel and loss of income. In this same interview, ex-employees go on air and say that Joe Bird encourages his employees to remove parking passes from vehicles. Earlier that day my apartment complex, the Arboretum, stopped using T&J Towing to patrol the lots. From here, my Facebook group steadily group to approximately 3,800 members and began to die down.

On April 9th, I was served court papers, at work by a court officer, that said Joe Bird and T&J Towing were suing me. I had to wait until April 12th to go buy a

copy of the complaint from the courthouse, which stated that I was being sued for \$750,000. Once this hit the internet the media went crazy, I did interviews with several news stations, radio stations, newspapers and have been discussed on numerous blogs, forums and other media outlets. After word of this got out my Facebook group grew to 14,000 members and gained worldwide attention.